



Order Filed on March 22, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**Robertson, Anschutz, Schneid, Crane & Partners,
PLLC**

Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
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Harold Kaplan (HK0226)

In Re:

Clifford Carter,

Debtor,

Regina Carter,

fka Regina Collins

fka Regina Spring Carter

Joint Debtor.

Case No.: 19-28930-ABA

Chapter: 13

Hearing Date: February 9, 2021

Judge: Andrew B. Altenburg Jr.

**ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE
AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby

ORDERED.

DATED: March 22, 2021

A handwritten signature in black ink, appearing to read "ABJ", is written over a horizontal line.

Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Secured Creditor: NewRez LLC D/B/A ShellPoint Mortgage Servicing

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Mark W Ford, Esq.

Property Involved ("Collateral"): 12 Robin Lane, Berlin Twp, New Jersey 08091

Relief sought: ■ Motion for relief from the automatic stay
 □ Motion to dismiss
 □ Motion for prospective relief to prevent imposition of automatic stay
 against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 10 months from May 1, 2020 through February 1, 2021.
- The Debtor is overdue for 3 payments from May 1, 2020 at \$1,955.24 per month.
- The Debtor is overdue for 7 payments from August 1, 2020 at \$1,956.74 per month.

Funds Held In Suspense \$245.23.

Total Arrearages Due \$19,317.67.

2. Debtor must cure all post-petition arrearages, as follows:

- Immediate payment shall be made in the amount of \$6,000.00. Payment shall be made within 10 days of entry of this Order.
- Beginning on March 1, 2021, regular monthly mortgage payments shall continue to be made in the amount of \$1,956.74.
- Beginning on March 15, 2021, monthly cure payments shall be made in the amount of \$2,219.61 for 5 months with a 6th and final payment in the amount of \$2,219.62 coming due on or before August 15, 2021.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Immediate cure payment: NewRez LLC dba Shellpoint Mortgage Servicing
ATTN: Bankruptcy Department
PO Box 740039
Cincinnati, Ohio 45274-0039
- Regular monthly payment: NewRez LLC dba Shellpoint Mortgage Servicing
ATTN: Bankruptcy Department
PO Box 740039
Cincinnati, Ohio 45274-0039
- Monthly cure payment: NewRez LLC dba Shellpoint Mortgage Servicing
ATTN: Bankruptcy Department
PO Box 740039
Cincinnati, Ohio 45274-0039

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.

The fees and costs are payable:

- Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.